

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ABELARDO MORALES,

Plaintiff,

Case No. 13-12302

Paul D. Borman  
United States District Judge

v.

Michael Hluchaniuk  
United States Magistrate Judge

CITY OF JACKSON POLICE  
DEPARTMENT, *et al.*,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE MICHAEL HLUCHANIUK'S  
NOVEMBER 21, 2013 REPORT AND RECOMMENDATION (ECF NO. 16)

On November 21, 2013, Magistrate Judge Michael Hluchaniuk issued a Report and Recommendation to Dismiss Defendants Adam Brown, Karen A. Coffman, Joseph S. Philip, Richard N. Laflam, Michael Overton, Amanda Riska, Gilbert Carlson, Dennis M. Diffenderfer, Elmer Hitt and David Taylor pursuant to Fed. R. Civ. P. 41(b) and to terminate these Defendants' pending motions to dismiss (ECF Nos. 7, 12) as moot. (ECF No. 16, Report and Recommendation.)

Having reviewed the Report and Recommendation, and there being no timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court ADOPTS the Report and Recommendation (ECF No. 16), DISMISSES these Defendants with prejudice pursuant to Fed. R.

Civ. P. 41(b), and terminates these Defendants' motions to dismiss (ECF Nos. 7, 12) as MOOT.<sup>1</sup>

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: December 30, 2013

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 30, 2013.

s/Deborah Tofil

Case Manager

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<sup>1</sup> On December 23, 2013, Plaintiff filed a "Notice of Interlocutory Appeal," directed not to this Court but to the Sixth Circuit Court of Appeals, that appears to complain generally about Magistrate Judge Hluchaniuk's November 21, 2013 Order Denying Motion to Disqualify and for Submission of Evidence to Grand Jury (ECF No. 15) and about the Magistrate Judge's November 21, 2013 Report and Recommendation Regarding Rule 41(b) Dismissals (ECF No. 16). Even if intended as objections to either the Magistrate Judge's Order and/or Report and Recommendation, this filing is untimely and lacking the specificity required of valid objections. *See Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) ("[A] party *must* file timely objections with the district court to avoid waiving appellate review.") (emphasis in original); *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (only those objections that are specific are entitled to a *de novo* review under the statute).